

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: C. RENEE' THOMAS CARR ZEIGLER, R.N.
License Number: 0001-110838
Case Number: 173853

RATIFICATION AND ORDER

On July 19, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. C. Renee' Thomas Carr Zeigler, R.N., was not present nor was she represented by legal counsel.

The Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.


Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Zeigler's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Zeigler may, not later than 5:00 p.m., on August 30, 2017, notify Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

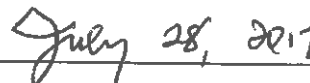
Certified True Copy

By 
Virginia Board Of Nursing

FOR THE BOARD


Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:


July 28, 2017

This Order shall become final on August 30, 2017, unless a request for a formal administrative hearing is received as described above.

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: C. RENEE' THOMAS CARR ZEIGLER, R.N.
License Number: 0001-110838
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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N, F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing ("Board"), held an informal conference on May 25, 2017 in Henrico County, Virginia, to inquire into evidence that C. Renee' Thomas Carr Zeigler, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Zeigler appeared at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated April 26, 2017, the Board sent a Notice of Informal Conference ("Notice") to Ms. Zeigler notifying her that an informal conference would be held on May 25, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Recommended Findings of Fact and Conclusions of Law

1. C. Renee' Thomas Carr Zeigler, R.N., was issued License Number 0001-110838 to practice professional nursing on August 23, 1988, which is scheduled to expire on November 30, 2018. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Zeigler violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(c) effective February 24, 2017) ("Regulations"), in that during the course of her employment with Intrepid USA Hospice, Virginia Beach, Virginia ("Intrepid"), on April 15, 2016, she diverted controlled medications by removing multiple bottles and packages of medications, including fentanyl (C-II), hydromorphone (C-II), and Xanax (alprazolam, C-IV), from the home of a deceased hospice patient for her own personal and unauthorized use.

3. Ms. Zeigler's employment with Intrepid was terminated on May 2, 2016 as a result of her diversion.

4. At the informal conference, Ms. Zeigler denied diverting the medications. She stated that she took the medications home with her and placed them in her garage with the intent to waste the medications at a later time.

5. Ms. Zeigler violated Virginia Code § 54.1-3007(5) and (6) in that on April 19, 2016, and April 20, 2016, during the course of her employment with Intrepid, Ms. Zeigler exhibited signs of impairment, including bizarre, erratic and confused behavior including forgetting conversations that she had only minutes prior. At the informal conference, Ms. Zeigler denied that she exhibited bizarre behavior. She acknowledged that her behavior may have been unusual because she was working numerous hours under high stress.

6. Ms. Zeigler violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to substance abuse and/or mental illness, as evidenced by the following:

a. In her September 22, 2016 interview with an investigator for the Department of Health Professions, Ms. Zeigler stated that she formed a dependence on Xanax during her use of the medication and admitted that she could be at risk for resuming her use of the medication. At the

informal conference, Ms. Zeigler acknowledged a past dependence on Xanax from 1985 through 2013. She acknowledged that she has never received any formal substance abuse treatment. She denied any current benzodiazepine use. She stated that she would never resume her use of Xanax. Ms. Zeigler was previously noticed by the Board on August 30, 2013, for exhibiting signs of impairment and benzodiazepine overuse.

b. From on June 2010 through the present, Ms. Zeigler has received mental health treatment with Tucker Psychiatric Clinic, Inc., Richmond, Virginia ("Tucker"), where she was diagnosed with bipolar disorder, anxiety disorder, not otherwise specified, and adult attention deficit disorder. Ms. Zeigler stated at the informal conference that she sees her mental health provider at Tucker every 90 days and has disclosed her appearance before the Board. She stated she has been treated for depression and symptoms of menopause. She stated that the last time she received counseling was late 2014. She stated that she has not attended Alcoholics Anonymous or Narcotics Anonymous in over six months and denied the use of alcohol or other drugs.

7. Ms. Zeigler violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(f) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(f) effective February 24, 2017), as evidenced by the following:

a. During her employment with Sovereign Staffing Solutions, Virginia Beach, Virginia ("Sovereign"), and while on assignment with Eastern State Hospital, Williamsburg, Virginia:

i. On July 16, 2016, she failed to administer medications to a patient per physician's orders. At the informal conference, Ms. Zeigler presented a hand-written page of notes with an altered date that she stated was proof that she was not working on the unit on the date of the incident.

ii. On August 20, 2016, she failed to have a staff member witness and co-sign the wastage of Ativan (lorazepam, C-IV).

b. During her employment with Intrepid, on April 22, 2016, she failed to wear gloves and failed to follow aseptic and sterile technique while changing a patient's suprapubic catheter. At the informal conference, Ms. Zeigler submitted a mileage report that she claimed showed that the patient did not have a suprapubic catheter changed on April 22, 2016 because she drove the patient to a medical appointment that day. She stated that she has never changed a suprapubic catheter for that patient or any patient.

8. Also while assigned to Eastern State Hospital, on August 29, 2016, Ms. Ziegler failed to administer Ativan (lorazepam, C-IV) 5mg to a patient who was ordered to take the medication every eight hours. The patient was administered the medication at 5:00 a.m. Ms. Zeigler failed to administer the 1:00 p.m. dose. At the informal conference, Ms. Zeigler submitted a copy of an email to the Board indicating that she had a job interview scheduled for 2:15 p.m. the same day. She stated that she could not have been responsible for administering the medication due to her interview.

9. Ms. Zeigler violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(e) effective February 24, 2017) in that:

a. On her application for employment with Sovereign, dated May 22, 2016, she failed to disclose her employment with Intrepid, where her employment was terminated due to the acts outlined in Finding No. 2, and failed to disclose that she was subject to an investigation by the Board resulting from her May 9, 2016 self-report to the Department of Health Professions.

b. On at least five other applications for employment, she failed to disclose prior employment that resulted in counseling or involuntary termination for issues such as an inability to

adequately convey patient needs to staff and caregivers, an inability to complete tasks and follow instructions, poor and untimely documentation, and mishandling of documents.

10. Ms. Zeigler stated that she was not aware that she had to disclose jobs that she held for fewer than 90 days on her applications. She stated that she believed that she could pick and choose what was pertinent to the job she was applying for.

11. Ms. Zeigler's employment has been terminated by, or she has been discharged from, seven of ten employers since 2012. She stated that since October 28, 2016, she has been employed in the behavioral health unit at Cumberland Hospital for Children and Adolescents, New Kent, Virginia. She stated that she has a supervisor that oversees her practice and that she has received no written discipline. She stated that she does not recall having received an evaluation. She stated that her current employer is aware that she self-reported to the Board but acknowledged that she did not advise them of her appearance at the informal conference.

12. Ms. Zeigler presented at the informal conference as distracted and her testimony was, at times, disjointed and confused. Ms. Zeigler submitted additional information to the Board which appeared disordered and had little correlation to the allegations made against her.

13. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Zeigler's health records or health services.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. C. Renee' Thomas Carr Zeigler, R.N., is placed on INDEFINITE PROBATION subject to terms and conditions.

2. The period of probation shall begin on the date that this Order is entered and shall continue indefinitely. After C. Renee' Thomas Carr Zeigler, R.N., has completed one year of active professional nursing practice, she may request that the Board end this probation.

3. C. Renee' Thomas Carr Zeigler, R.N., shall only practice professional nursing in a supervised employment setting pre-approved by the Board and under the on-site supervision of a Board-approved professional nurse who holds an unrestricted license and practices on the same shift for the first year of probation.

4. C. Renee' Thomas Carr Zeigler, R.N., shall have an evaluation by a neuropsychology specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 90 days from the date this Order is entered. Ms. Zeigler shall comply with any recommendations of the specialist. If treatment is recommended, written quarterly progress reports by the provider shall be sent to the Board by the last day of the months of March, June, September and December until Ms. Zeigler is discharged from treatment. Ms. Zeigler shall direct the provider to notify the Board if she withdraws from the treatment program before being officially discharged by the provider.

5. C. Renee' Thomas Carr Zeigler, R.N., shall submit "Self-Reports" which include a current address, telephone number, email address, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self-Reports must be submitted whether C. Renee' Thomas Carr Zeigler, R.N., has current practice employment or not. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from the date of entry of the Order and subsequent reports due the last day of the March, June, September, and December until C. Renee' Thomas Carr Zeigler is notified, in writing, that the reporting requirement is ended.

6. C. Renee' Thomas Carr Zeigler, R.N., shall notify the Board within ten days, in writing, of any change in address, telephone number, or e-mail address; changes in the location of her practice; additional practice locations; change in employment, including termination, suspension, separation, or other interruption in practice (including the name and address of any new employer and the date of employment); and criminal charges or convictions.

7. C. Renee' Thomas Carr Zeigler, R.N., shall provide her current and each future nursing practice employer immediately upon employment with a copy of this Order in its entirety.

8. C. Renee' Thomas Carr Zeigler, R.N., shall ensure that her supervisor shall provide quarterly reports to the Board regarding Ms. Zeigler's clinical judgment, clinical performance, recordkeeping and documentation, medication administration, and overall performance. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from entry of this Order and subsequent reports due the last day of the months of March, June, September and December until C. Renee' Thomas Carr Zeigler, R.N., is notified, in writing, that the reporting requirement is ended.

9. C. Renee' Thomas Carr Zeigler, R.N., shall ensure that her psychiatrist and other treating health care provider(s) shall provide quarterly reports to the Board regarding Ms. Zeigler's diagnosis, recommended course of therapy, progress in therapy, compliance with medication management, and prognosis. Ms. Zeigler shall direct the psychiatrist to notify the Board if she withdraws from the treatment program before being officially discharged by the psychiatrist. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from entry of this Order and subsequent reports due the last day of the months of March, June, September and December until C. Renee' Thomas Carr Zeigler, R.N., is notified, in writing, that the reporting requirement is ended.

10. C. Renee' Thomas Carr Zeigler, R.N., shall, within 45 days of the date of entry of this Order, return all copies of her current license, along with any required fee, to the Board office, and the Board shall issue a license marked "Valid in Virginia Only: Probation with Terms."

11. C. Renee' Thomas Carr Zeigler, R.N., shall sign all required medical releases and authorization forms within 60 days of the date of entry of this Order allowing for unrestricted communication between and among the Board and her employer(s) or potential or intended employer(s) and her current and future treating healthcare provider(s).

12. C. Renee' Thomas Carr Zeigler, R.N., shall bear any costs associated with the terms and conditions of this Order.

13. C. Renee' Thomas Carr Zeigler, R.N., shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

14. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of professional nursing shall constitute grounds for further disciplinary action.

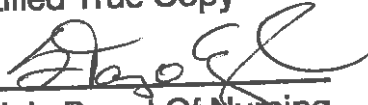
15. Failure to comply with all terms and conditions of this Order within five years of the date of entry of the Order may be reason for revoking or suspending the license of C. Renee' Thomas Carr Zeigler, R.N., and an administrative proceeding shall be held to determine whether to impose such action.

16. This Order shall remain in effect until the Board has notified C. Renee' Thomas Carr Zeigler, R.N., in writing that she is released from probation and all terms and conditions.

17. The Executive Director of the Board is authorized to issue an Order or letter acknowledging satisfactory completion of the foregoing conditions or to refer the matter to an administrative proceeding for review of Ms. Zeigler's compliance with the foregoing conditions.

Reviewed and approved on June 13, 2017
By Allison Gregory, M.S., R.N, F.N.P.-B.C.
Agency Subordinate

Certified True Copy

By 
Virginia Board Of Nursing